

16.41 hrs.

**CANTONMENTS (AMENDMENT)  
BILL**

Shri Jhulan Sinha (Siwan): Mr. Chairman, I beg to move:-

"That the Bill further to amend the Cantonments Act, 1924, be taken into consideration."

From a perusal of, the Statement of Objects and Reasons to this Bill, it will be clear that this Bill is intended to remedy three defects in the present enactment, namely, the Cantonments Act. It will not be proper for me to remind the House of the history of the Cantonments in this country. It will be enough for me to say that the cantonments were conceived to be areas exclusively meant for the stationing of armed forces. During the British regime the areas covered by these cantonments were small and their number was also very limited. But now their number has gone to enormous proportions. Now there are, I find, 59 cantonments existing in this country. They cover, so far as I have been able to gather, a population of five lakhs.

They are divided into three classes—classes 1, 2 and 3. Class 1 consists of those areas where the population is above 10,000. Classes 2 and 3 consist of areas where the population is 7,500 and 2,500 respectively. All these three classes put together comprise a population of over five lakhs. Since this question concerns the civic life and amenities of such a large portion of the population of our country, the Government should, I think, take a view of this thing which is consistent with the prevailing view in these matters. We are now in the 11th year of our independence and democratic functioning. But the constitution of these cantonment boards still remains as archaic and old as it used to be during the British regime.

I can very well understand the want of confidence among the Britishers about the efficiency and capacity of

non-officials in those days. But now when the whole country is being governed by the adult population of this country, there is hardly any room for not having confidence in the efficiency and capacity of the people as such. If this position is taken into consideration and accepted, then there is hardly any room for the functioning of the cantonment boards as they are functioning today.

If you look at the organisation of these cantonment boards, you will find that they are so organised that the elected element in the cantonment board never gets any opportunity of being in a majority.

There is the permanent officials' majority controlling the fate of all those people who not only do not belong to the Armed Forces, but who belong to the general population residing in the areas covered by these cantonments. Of course, a later amendment in the Cantonments Act has made some provision for the constitution of civil area committees. Formerly, during the British regime they were bazaar committees, now they are civil area committees. But these civil area committees have got very limited powers and very limited functions. As I have been able to find out from the constitution of these civil area committees, they are practically wholly recommendatory. Their resolutions do not hold any value with the Cantonment Board as a whole. I have, therefore, thought it fit to provide in this amending Bill that the present majority in the Cantonment Board should not be allowed to exist any longer. It is too late in the day now to say that the people in this country are not as much interested in the wellbeing and security of the armed forces as the General Officer Commanding or his subordinates or the Defence Department itself. It is obvious and patent that the Defence Department in this country—I mean the Defence Minister and the whole Defence Department—is controlled by the elected representative of the people. Whether he is the Defence Mi-

nister or the Prime Minister, who ever holds the rein in his hand, that person belongs to the general population of this country. Now, if that thing is possible, if the whole country and the whole 'Defence' Department is fit to be controlled by a person elected by the people, there is hardly any ground for not allowing these armed forces, their amenities, their security and their welfare to be left in the hands of the elected representatives of the people. That is the main purpose behind the amendment that I have proposed.

The other thing that I have considered fit to bring to the notice of this House and to provide for in this amending Bill is that in certain circumstances the Government has reserved the right of entirely superseding the elected and nominated element and leaving the whole thing in the hands of the General Officer Commanding I know, as well as anybody in this country knows, that even for the municipal administration of this country, wherever it exists, there is provision for supersession of the municipalities and the local boards and the district boards by the local Government or the Central Government where they are concerned. But once when these municipalities and local boards are superseded the administration is not left in the hands of those people who have themselves been superseded, but some special officer, an executive officer, is appointed to carry on the administration just not only for a change but with a view to see the things existing then in their right perspective. But here even when these Cantonment Boards are circumstanced to be superseded the General Officer Commanding who happens to be the Chairman of these Boards, carries on the administration after their supersession. This is anomalous. So far as I have been able to make out, the whole thing still seems to have been based on a lasting suspicion about the capacity, efficiency and the general interests of the people in the welfare and security of the armed forces. This is a thing which is unacceptable

to me and I hope it will be unacceptable to the House also. People have got to be trusted. If the people in this country do not deserve the trust of the Central Government, I think the Central Government itself will cease to command any confidence from the people themselves. That is the position which we are not going to accept.

This amending Bill makes another provision apart from these two things.

A third provision that I have thought fit to incorporate in this Bill is this. There is a provision in the Cantonments Act that all taxes to be levied by the Board which is under the Commanding General with a standing majority of officials, have got to be levied with the previous approval of the Central Government. That is a thing which is still more unacceptable to my mind. We know, the resolutions and actions of the municipalities and local boards and other such local bodies are subject to the subsequent approval of the local Governments or other Governments concerned. I have never met with such a provision in the constitution of local bodies where the levying of taxes is subject to the previous approval of the Government concerned. This is just quite contrary to and against any conception of democracy that we possess. If the Cantonment Board which commands a majority nominated by the Government, is so efficient as to carry on the administration and it has been empowered to levy taxes, there should be no previous approval. That is only dilatory. That will not only keep things pending till the approval of the Central Government is received, but that is also based on the same want of confidence in the efficiency of the persons who have been nominated there to command a standing majority. This Bill provides for only three things.

Before I proceed further, I will just remind you of certain passages in the Forty-sixth Report of the Estimates Committee which went into this question exhaustively. I may, Sir, be

[Shri Jhulan Sinha]

allowed to quote certain passages which occur there. The Estimate Committee says:

"The committee therefore recommend that the Cantonments Act should be amended immediately to provide for the democratisation of the civil administration of the Cantonment areas. The strength of the Cantonment Boards which varies from 3 to 15 should be increased. The membership should be determined in relation to the population and should be based on well defined principles. The Officer Commanding the station may have powers to nominate one or two military officers to the Board, if necessary. One of them might be the Health Officer and the other one of the Medical Officers or the Garrison Engineers. The Committee do not consider it necessary or desirable that the Officer Commanding the station should be a member of the Board. They are of the opinion that the President of the Board should be elected by the members from amongst themselves."

This is the recommendation of a Committee of this House. This Report was published in March 1957. I think it is about a year and a half now.

They have made many other recommendations bearing on the points covered in my Bill. But, before I proceed to quote those recommendations, I would just try to bring to your notice that this Bill has absolutely no intention to try to malign this Government or to create any sort of insecurity or any want of amenities to the troops stationed in the cantonment areas. Certainly we all feel that the army in this country residing in the cantonments deserves the greatest care and attention of the nation. We have the tradition of relieving in non-violence and the Panchsheel principle, enunciated by this

country, has been accepted by a majority of the people in the world as worth something. Even then we know that the whole world is so built that if we do not keep the army satisfied, contented and well-protected and well-kept, there are nations in this world that will pounce upon us and devour us. It will take us back to the days of slavery from which we have come out after a serious struggle of so many years under the leadership of one the like of whom is not likely to be born very soon amongst us. In this state of things, we should be second to none in this world in keeping our army well-equipped, well-protected, well-fed and well-kept. With this background in mind, we also feel that the army should not be made to feel that they are something aloof from the general population of this country. They are of us and we are of them. If this be the position, there is absolutely no ground for doubting the capacity or the efficiency of the bona fides of the general population that has been made to reside with them, to think against them.

There was absolutely no scope, no necessity for joining the civil population with the Cantonment Board, but circumstances were such that they had to be there. We would be very glad if those areas which are occupied exclusively by the civil population are taken away from the jurisdiction of these Cantonment Boards and, if they are sufficiently large, placed under a separate municipality or joined to the adjoining self-governing body. If that is to be the position, then, of course, the case for armed forces stands on a different footing.

I may point out from the report of the Estimates Committee that there was a committee appointed many years back. It was appointed for delimitation of the areas of these Cantonment Boards as early as 1949. That committee made certain recommendations, and among the recommendations there was one of delimiting and what they have called "excision" of

The civil areas from the Cantonment Boards wherever it is possible, and for this purpose they have divided all the Cantonment Boards into three classes.

They have grouped the cantonments under three categories. Only Ambala was put under Category 1, viz., one in which a large area redundant to the requirements of the army could be excised and formed into a separate local body. Category 2 specified those cantonments in which civil areas were not large enough to constitute a local-body by itself, but could be merged in the adjoining body. This category applies to 17 cantonments. Under Category 3 the remaining cantonments were listed. This was the recommendation made by the committee appointed in 1949. These recommendations also are lying in abeyance They

have not been implemented. It was a committee under the Central Government itself

I am aware the constitution of the Civil Areas Committee is such that the President of this Committee though elected by the people is only the Vice-President of the Board and is subservient to the general constitution of the Board and to its resolutions.

Mr. Chairman: I understand the hon Member will take some more time to finish his speech. The House stands adjourned till Monday 11 A.M.

17 hrs

The Lok Sabha then adjourned till Eleven of the Clock on Monday, the 8th September, 1958